



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

SALVADOR CORTEZ,  
Petitioner,  
v.  
A.J. MALFI, Warden,  
Respondent.

No. CV 06-5196-DSF (RCF)  
ORDER ADOPTING FINDINGS,  
CONCLUSIONS, AND RECOMMENDATIONS  
OF UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition, all the records, and the attached Report and Recommendation of the United States Magistrate Judge. The Court concurs with and adopts the findings of fact, conclusions of law, and recommendations contained in the Report and Recommendation after having made a *de novo* determination of the portions to which objections were directed.

IT IS ORDERED that Judgment be entered granting Respondent's Motion to Dismiss and dismissing the First Amended Petition with prejudice.

IT IS FURTHER ORDERED that the Clerk serve copies of this Order and the Judgment by United States mail on Petitioner and counsel for Respondent.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: 10/28/08

A handwritten signature in blue ink that reads "Dale S. Fischer".

DALE S. FISCHER  
UNITED STATES DISTRICT JUDGE